Adur District Council

Development Management

Mr Russell McCourty
Caldotec Ltd
11 The Parade
Willowhayne Crescent
East Preston
BN16 1NS

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015

APPLICATION NUMBER: AWDM/0725/17

Details of Development
CHANGE OF USE FROM USE CLASS A1 (SHOP) TO MIXED USE CLASS A1 (RETAIL), USE CLASS A3 (CAFE) AND POTTERY PAINTING WITH REPLACEMENT SHOPFRONT AND WINDOWS ON GROUND FLOOR (NORTH) ELEVATION.

Location of Development
61 NORTH ROAD LANCING WEST SUSSEX BN15 9AS

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 11th May 2017.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

G Peck

Gary Peck
Planning Services Manager
29/08/2017

Adur District Council
Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Fax: 01903 221072 Minicom: 01903 204500
DX: 142965 Worthing 10 Web: www.adur-worthing.gov.uk

SCHEDULE

Conditions

01. The development hereby permitted shall be carried out in accordance with the following approved plans unless specified otherwise in a subsequent condition imposed on this decision notice.

Reference/Drawing Number	Version	Date Rec
EXISTING PLANS & ELEVATIONS	16293/01	11.05.2017
PROPOSED PLANS & ELEVATIONS	16293/02R2	11.05.2017
SHOPFRONT,DOOR AND WINDOW PHOTOS	Photos x 5	24.07.2017
WINDOW INFORMATION		11.07.2017

Reason: *For the avoidance of doubt and in the interests of proper planning.*

02. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

03. The premises shall not be used for the sale of food for consumption off the premises.

Reason: *In the interests of residential amenity having regard to saved policy AG1 of the Adur District Local Plan and policy 15 of the Submission Adur Local Plan 2016.*

04. No primary cooking of food shall take place on the premises whatsoever. Only pre-cooked food shall be warmed and/or re-heated on the premises by means of a microwave oven, panini grill, jacket potato oven, soup kettle or other similar means of warming or re-heating pre-cooked food, details of which shall have been submitted to and approved in writing by the Local Planning Authority prior to commencement of such use of the premises.

Reason: *To safeguard the amenities of the occupiers of nearby properties owing to the absence of any means of ventilation for the extraction and disposal of cooking odours from the premises, having regard to saved policies AG1 of the Adur District Local Plan and policy 15 of the Submission Adur Local Plan 2016.*

05. No working, trade or business whatsoever (including arrival, reception or despatch of deliveries) shall take place on the premises except between the hours of:-

0900 and 2100 Mondays to Saturdays inclusive
1100 and 1700 on Sundays and Bank and Public Holidays

Reason: *In the interests of amenity having regard to saved policies AG1 of the Adur District Local Plan and policy 15 of the Submission Adur Local Plan 2016.*

06. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the premises shall only be used for the making and painting of pottery items, plus retail sales with ancillary café and not for any other use or purpose.

Reason: *In the interests of the shopping area and in accordance with saved policy AG1 of the Adur Local Plan and policies 9 and 15 of the Submission Adur Local Plan.*

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. This permission does not purport to grant consent for the advertisement shown on the plans hereby permitted which may require consent on their own behalf.

03. The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

Ref: AWDM/0725/17

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YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES FROM THE ABOVE ORDER. THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT

Appeals to the Secretary of State

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

2. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

3. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.

4. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

5. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

6. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

7. In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Planning Act 1990.

8. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

9. Where this notice conveys approval or permission, conditional or unconditional, please note that the decision given does not purport to convey any consent or approval which may be required under the Building Act and Building Regulations, or any other legislation.

Reduced time for making a planning appeal where enforcement action is being taken

Where an enforcement notice has been served in relation to the same, or substantially the same, development as in the planning application no earlier than 2 years before the date the application was made, the period for receiving a planning appeal is within 28 days of the date on the planning application decision notice or of the date by which the LPA should have decided the application.

However, the LPA may formally decline to determine a retrospective planning application for permission for any development contained within a pre-existing enforcement notice served on or after 6 April 2012, where that notice was issued before the application was received by the LPA (see above). There is no right to make a planning appeal in such circumstances.

Where an enforcement notice was served in relation to the same, or substantially the same, development after the decision notice on the application was issued or after the end of the period the LPA had to determine the application, the period for receiving a planning appeal is within 28 days of the date the enforcement notice was served (unless this would extend the period beyond the normal 12 weeks or 6 months deadline).